

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Jerome H. Lemelson  
Robert D. Pedersen  
Tracy D. Blake

Art Unit: 2654

Application No.: 09/517,993

Examiner: A. A. Armstrong

Filed: March 3, 2000

Title: System and Method for Enhancing Speech Intelligibility for the  
Hearing Impaired

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**SENT BY FACSIMILE**

**RESPONSE TO RESTRICTION REQUIREMENT UNDER 35 U. S. C. 121 AND  
PROVISIONAL ELECTION OF INVENTION TO BE PROSECUTED IN THIS  
APPLICATION**

Dear Sir:

In response to the restriction requirement in the Office Action of July 16, 2003, the applicant provisionally elects to prosecute the claims pertaining to invention I with traverse. Invention I includes Claims 1-20.

Restriction to one of the inventions set forth in the Examiner's list of six inventions in this application is required. The applicant believes that the restriction to six inventions is excessive and not required. It was the applicant's intent to provide systems claims and method claims of differing scope to claim the invention set forth. The invention is set forth in several embodiments and it appears that these embodiments are being treated as separate inventions. All of the embodiments are drawn to class 704, and to only three subclasses in class

#4  
TLR  
8/18/03

704. It is possible that there are separate inventions presented however it is believed that six separate inventions is excessive and will lead to a prosecution burden on the applicant, if he elects to prosecute all six inventions, as well as a burden on the Patent Office. Thus, the applicant respectfully traverses the six-way restriction.

In the event that applicant's request is rejected, the applicant elects, as stated above, to prosecute the invention of group I, that is claims 1-20, in this application.

Respectfully submitted,

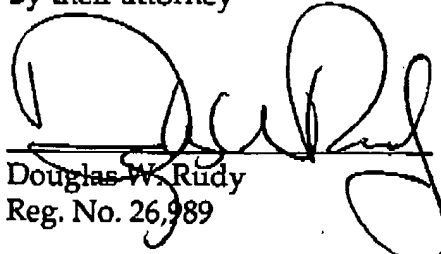
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JEROME H. LEMELSON  
ROBERT D. PEDERSEN  
TRACY D. BLAKE  
By their attorney

AUG 14 2003

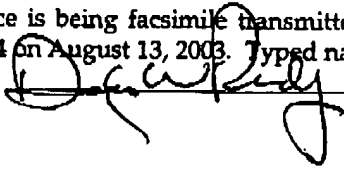
Technology Center 2600

Dated: August 13, 2003

  
Douglas W. Rudy  
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I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office (fax No. (703) 872-9314) on August 13, 2003. Typed name of person signing this certificate: Douglas W. Rudy, Signature: 

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DATE: August 13, 2003

TO: Commissioner for Patents

FAX NO.: 703-872-9314

RE: Application No.: 09/517,993,  
Filed: 03/03/2000

FROM: Douglas W. Rudy

NUMBER OF PAGES: 3  
(including this transmittal sheet)

**OFFICIAL****RECEIVED****AUG 14 2003****Technology Center 2000****SPECIAL MESSAGE:**

Attached Response to Restriction and Provisional Election of Invention

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Client: Lemelson